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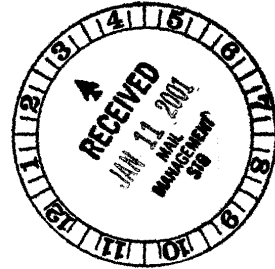
DONALD E. CROSS (1923-1986)

ENTERED
Office of the Secretary

JAN 12 2001

Part of
Public Record

January 11, 2001



Hon. Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423

**RE: STB Docket No. EP 582 (Sub-No. 1),
Major rail consolidation procedures**

Dear Secretary Williams:

I am writing on behalf of Mayo Foundation d/b/a Mayo Clinic (Mayo) in connection with the above-captioned notice of proposed rulemaking proceeding (NPRM). By way of background, Mayo operates major health facilities at Rochester, MN, and other locations throughout the country.

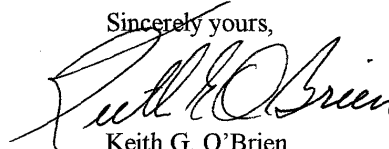
Mayo originally filed initial comments in this proceeding on November 17, 2000, indicating concerns that increased rail traffic flows due to railroad construction cases (specifically the so-called Powder River extension of the Dakota, Minnesota & Eastern Railroad) and rail mergers could have on its Rochester facilities. In particular, Mayo voiced concerns about the emergency service and public safety ramifications of railroad merger and construction proposals. It stated that the STB's proposed rule does not adequately address the concerns raised by the US Department of Transportation, the State of Ohio and others who will be adversely affected by merger or construction proposals. See, Mayo's initial comments at 2-3. Mayo cannot stress these comments enough.

Mayo also supports the US Department of Agriculture (Reply Comments at p. 11) and the State of Ohio in urging expansion of the proposed merger rules to make provision for Board approval of railroad alliances and adequate remediation of impacts resulting from such alliances. As noted by the State of Ohio increased train traffic through a community resulting from a rail alliance has the same negative impacts as increased train traffic resulting from a merger. ORDC November 17 Comments at 16. Railroad

transactions which will result in more train traffic with attendant impacts on emergency service and public health raise vital public interest issues. Mayo urges the Board to take action that will ensure that these issues will be thoroughly considered and that remedial measures will be required whenever necessary in the interest of the public.

Mayo appreciates the opportunity to present its views on this important matter.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Keith G. O'Brien". The signature is fluid and cursive, with the first name "Keith" and last name "O'Brien" clearly distinguishable.

Keith G. O'Brien
Counsel for:
Mayo Foundation